

## Message Text

PAGE 01 STATE 306026  
ORIGIN IO-04

INFO OCT-01 ISO-00 /005 R

66011  
DRAFTED BY:IO:UNP:PLORENZ  
APPROVED BY:OI:PBUNGE  
-----001031 231037Z /11  
R 230214Z DEC 77  
FM SECSTATE WASHDC  
TO USMISSION USUN NEW YORK

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FOLLOWING TELEGRAM FROM CINCUNC SEOUL KS DATED DECEMBER 16,  
1977 SENT JCS WASHDC INFO DEPT OF DEFENSE WASHDC, CINCPAC  
CAMP H M SMITH HI, DEPT OF STATE WASHDC IS REPEATED  
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UNCLAS E F T O

SUBJ; UN COMMAND REPORT TO UNITED NATIONS SECURITY COUNCIL.

- A. UNITED NATIONS SECURITY COUNCIL RESOLUTION, 7 JULY 1950,  
(S/1588) WHICH ESTABLISHED UNIFIED COMMAND.
  - B. SPECIAL REPORT OF UN COMMAND ON ARMISTICE IN KOREA, 7 AUGUST  
1953 (S/3079).
  - C. UN COMMAND REPORT TO UNITED NATIONS SECURITY COUNCIL, 23  
DECEMBER 1976.
  - D. SECSTATE MESSAGE 266875, TO AMEMBASSY SEOUL, 080143Z NOVEMBER  
1977 (NOTAL), WHICH REQUESTED UN COMMAND PREPARE A UN COMMAND REPORT  
TO UNITED NATIONS SECURITY COUNCIL.
1. FOLLOWING IS PROPOSED REPORT TO UNITED NATIONS SECURITY COUNCIL  
ON ACTIVITIES OF THE UNC UPDATING LAST REPORT SUBMITTED TO SECURITY  
COUNCIL, 23 DECEMBER 1976.
  2. TEXT OF REPORT. QUOTE. REPORT OF THE ACTIVITIES OF THE UNITED  
NATIONS COMMAND (UNC)
    1. BACKGROUND. THE UNITED NATIONS COMMAND WAS ESTABLISHED PURSUANT  
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TO UNITED NATIONS SECURITY COUNCIL RESOLUTION 84 OF 7 JULY 1950 AND  
WAS BASED ON THE CHARTER'S ASSIGNMENT OF PRIMARY AUTHORITY TO THE  
SECURITY COUNCIL UNDER ARTICLE 39 TO TAKE APPROPRIATE MEASURES TO  
MAINTAIN OR RESTORE INTERNATIONAL PEACE AND SECURITY. THE RESOLUTIO  
OF 7 JULY CALLED FOR THE ESTABLISHMENT OF A UNIFIED COMMAND UNDER THE  
UNITED STATES FOR UNITED NATIONS FORCES IN KOREA, AND REQUESTED  
THE UNITED STATES "TO PROVIDE THE SECURITY COUNCIL WITH REPORTS, AS  
APPROPRIATE, ON THE COURSE OF ACTION TAKEN UNDER THE UNIFIED COMMAND"  
THIS REPORT SUMMARIZES THE ACTIVITIES OF THE UNC INVOLVING THE MAIN-  
TENANCE OF THE KOREAN ARMISTICE DURING THE PERIOD BETWEEN 21 DECEMBER

1976 AND 16 DECEMBER 1977. THE LAST REPORT OF THE UNIFIED COMMAND TO THE UNITED NATIONS SECURITY COUNCIL WAS SUBMITTED ON 23 DECEMBER 1976.

2. ARMISTICE STRUCTURE AND PROCEDURES.

A. ARMISTICE AGREEMENT AND MILITARY ARMISTICE COMMISSION. THE KOREAN ARMISTICE AGREEMENT WHICH WAS CONCLUDED ON 27 JULY 1953 IS "TO INSURE A COMPLETE CESSATION OF HOSTILITIES AND OF ALL ACTS OF ARMED FORCE IN KOREA UNTIL A FINAL PEACEFUL SETTLEMENT IS ACHIEVED.. ." THE COMMANDER IN CHIEF, UNITED NATIONS COMMAND ALONE SIGNED THE ARMISTICE AGREEMENT ON BEHALF OF ALL THE NATIONS, INCLUDING THE REPUBLIC OF KOREA, WHO CONTRIBUTED FORCES TO THE UNIFIED COMMAND. THE FOCUS OF UNITED NATIONS COMMAND ACTIVITIES IN KOREA IS THE IMPLEMENTATION OF THE KOREAN ARMISTICE AGREEMENT. THE MILITARY ARMISTICE COMMISSION WAS ESTABLISHED BY THE ARMISTICE AGREEMENT "TO SUPERVISE THE IMPLEMENTATION OF THIS ARMISTICE AGREEMENT AND TO SETTLE THROUGH NEGOTIATION ANY VIOLATIONS OF THIS ARMISTICE AGREEMENT." THE COMMISSION IS A JOINT ORGANIZATION WITHOUT A CHAIRMAN AND IS COMPOSED OF 1 MEMBERS, FIVE SENIOR MILITARY OFFICERS FROM THE UNITED NATIONS COMMAND AND FIVE FROM THE NORTH KOREAN-CHINESE SIDE. THE UNITED NATIONS COMMAND HAS APPOINTED ONE MEMBER FROM THE UNITED STATES, TWO FROM THE REPUBLIC OF KOREA, ONE FROM THE UNITED KINGDOM AND ONE DESIGNATED ON A ROTATING BASIS FROM AMONG THE FIVE OTHER UN MEMBER NATIONS (AUSTRALIA, CANADA, PHILIPPINES, THAILAND, LIMITED OFFICIAL USE LIMITED OFFICIAL USE

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AND TURKEY) WHICH STILL MAINTAIN REPRESENTATIVES TO THE UNITED NATIONS COMMAND. THE MILITARY ARMISTICE COMMISSION IS ASSISTED BY A SECRETARIAT WHICH PROVIDES THE NECESSARY ADMINISTRATIVE AND STAFF ASSISTANCE TO THE COMMISSION AND CARRIES OUT SUCH OTHER FUNCTIONS AS MAY BE ASSIGNED BY THE COMMISSION. MEETINGS OF THE COMMISSION AND ITS SECRETARIES ARE HELD AT THE REQUEST OF EITHER SIDE. THERE HAVE BEEN 385 SESSIONS OF THE COMMISSION AND 449 OF THE SECRETARIAT SINCE THE ARMISTICE WAS SIGNED. THESE MEETINGS ARE HELD IN THE JOINT SECURITY AREA, MORE COMMONLY KNOWN AS PANMUNJOM, WITHIN THE MILITARY ARMISTICE COMMISSION HEADQUARTERS AREA, A PORTION OF THE DEMILITARIZED ZONE. THE MILITARY ARMISTICE COMMISSION, OR THE SENIOR MEMBER OF EITHER SIDE, IS AUTHORIZED TO DISPATCH JOINT OBSERVER TEAMS TO INVESTIGATE REPORTED VIOLATIONS OF THE ARMISTICE AGREEMENT WITHIN THE DEMILITARIZED ZONE. THESE TEAMS ARE THE PRIMARY INVESTIGATIVE ARM OF THE COMMISSION. THE RESPECTIVE SECRETARIES MAINTAIN TELEPHONE HOTLINES IN THE JOINT SECURITY AREA WHICH PROVIDE A 24-HOUR COMMUNICATION LINK. IN ADDITION, JOINT DUTY OFFICERS FROM THE TWO SIDES MEET DAILY EXCEPT SUNDAYS AND HOLIDAYS TO EXCHANGE ROUTINE CHARGES OF VIOLATIONS AND CORRESPONDENCE.

B. NEUTRAL NATIONS SUPERVISORY COMMISSION (NNSC). THIS COMMISSION WAS ALSO ESTABLISHED BY THE ARMISTICE AGREEMENT AND IS COMPOSED OF FOUR MEMBERS, ONE EACH FROM SWEDEN, SWITZERLAND, CZECHOSLOVAKIA, AND POLAND. THE NNSC IS AN INDEPENDENT FACT FINDING BODY, BUT REPORTS TO THE MILITARY ARMISTICE COMMISSION. THE NNSC HOLDS ROUTINE WEEKLY MEETINGS IN THE JOINT SECURITY AREA, PANMUNJOM, AND REPORTS TO THE MILITARY ARMISTICE COMMISSION ON ITS ACTIVITIES, WHICH PRINCIPALLY

CONCERN THE MOVEMENT OF MILITARY PERSONNEL AND EQUIPMENT TO AND FROM KOREA.

CROLE OF THE REPUBLIC OF KOREA. A UNIQUE FEATURE OF THE KOREAN ARMISTICE AGREEMENT IS THAT NEITHER THE U.S., NOR THE REPUBLIC OF KOREA IS A SIGNATORY TO THE AGREEMENT. AS MENTIONED EARLIER, COMMANDER IN CHIEF; UNITED NATIONS COMMAND ALONE SIGNED THE ARMISTICE AGREEMENT ON BEHALF OF A UNIFIED COMMAND CONSISTING OF MILITARY FORCES FROM 16 UN-TED NATIONS MEMBER NATIONS AND THE REPUBLIC OF KOREA. DURING THE ARMISTICE NEGOTIATIONS THE REPUBLIC OF KOREA GOVERNMENT GAVE ASSURANCES THAT IT WOULD ADHERE TO THE ARMISTICE LIMITED OFFICIAL USE LIMITED OFFICIAL USE

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AGREEMENT. THESE ASSURNACES WERE REITERATED BY THE UNITED NATIONS COMMAND NEGOTIATORS. THE REPUBLIC OF KOREA FORCES HAVE COMPLIED WITH THE PROVISIONS OF THE ARMISTICE AGREEMENT SINCE IT WAS CONCLUDED IN 1953, AND REPUBLIC OF KOREA SENIOR MILITARY OFFICERS HAVE BEEN ACCREDITED TO THE MILITARY ARMISTICE COMMISSION AND HAVE SERVED REGULARLY ON THE COMMISSION. IN VIEW OF THIS, THERE IS NO QUEETION THAT THE REPUBLIC OF KOREA IS A DIRECT PARTY TO YHE KOREAN ARMISTICE, ESPECIALLY WHEN THE REPUBLIC OF KOREA PROVIDES ALMOST ALL THE FORCE ALONG THE DEMILITARIZED ZONE.

3. MILITARY ARMISTICE COMMISSIOM ACTIVITIES. THROUGHOUT THE REPORTING PERIOD, THE UNITED NATIONS COMMAND TRANSMITTED MARE THAN 2,900 CHARGES OF VIOLATIONS COMMITTED BY THE NORTH KOREAN SIDE. TH ESE CHARGES WERE PASSED EXPEDITIOUSLY AT THE DAILY JOINT DUTY OF FICERS MEETING IN THE JOINT SECURITY AREA TO ENABLE THE NORTH OREANS TO CONDUCT TIMELY INVESTIGATION AND TO TAKE NECESSARY CORRECTIVE MEASURES, MEETINGS OF THE MILITARY ARMISTICE COMMISSION RE USED TO DISCUSS SERIOUS VIOLATIONS OF THE ARMISTICE AGREEMENT ANDSIGNIFICANT ARMISTICE RELATED TOPICS. THESE MEETINGS SERVE NOTT ONLY TO PREVENT POSSIBLE MISCALCULATIONS AND ESCALATION OF INCIDENTS BUT PROVIDE A FORUM IN WHICH THE UNITED NATIONS COMMAND ATTEMPTS MAKE THE MILITARY ARMISTICE COMMISSION MACHINERY MORE PRODUCTIVE THE COMMISSION HAS CONTINUED TO SERVE AS A VALUED MEANS OF COMMUNICA- ON AS DEMONSTRATED BY ITS CONTINUED USE BY BOTHS SIDES. DURING THE PERIOD COVERED BY THIS REPORT (21 DECEMBER 1976 - 16 DECEMBER 1977). THERE HAVE BEEN THREE MEETINGS OF THE COMMISSION AND TWO MEETINGS OF THE SECRETARIAT. TWO OF THESE MEETINGS, ONE COMMISSION MEETING AND ONE SECRETARIES MEETING, CONCERNED THE RETURN OF THE SURVIVOR AND BODIES OF THREE CREWMEMBERS OF A CH-47 HELICOPTER WHICH WAS SHOT DOWN BY NORTH KOREAN FORCES NEAR THE DEMILITARIZED ZONE, 14 JULY 1977. THE OTHER MEETINGS WERE HELD TO DISCUSS A NORTH KOREAN ATTACK ON UNITED NATIONS COMMAND DEFENSE PERSONNEL ON 3 MAY 1977 AND THE APPARENT ABDUCTION OF TWO UNITED NATIONS COMMAND PERSONNEL IN THE DEMILITARIZED ZONE ON 20 OCTOBER 1977. (THE ANNEX LIMITED OFFICIAL USE LIMITED OFFICIAL USE

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AT PARA 7 TO THIS REPORT CONTAINS DETAILS REGARDING THESE

ARMISTICE CONNECTED INCIDENTS.)

4. DEVELOPMENTS. ON 29 JUNE, 1977, U.S. SECRETARY OF STATE CYRUS VANCE REITERATED AN EARLIER U.S. PROPOSAL THAT THE PARTIES MOST IMMEDIATELY CONCERNED WITH KOREA; I.E., THE U.S., THE REPUBLIC OF KOREA, NORTH KOREA, AND THE PEOPLE'S REPUBLIC OF CHINA, ENTER INTO NEGOTIATIONS TO REPLACE THE EXISTING ARMISTICE WITH MORE PERMANENT ARRANGEMENTS. THIS PROPOSAL IS IN COMPLETE AGREEMENT WITH THE RESOLUTION ADOPTED BY THE 30TH SESSION OF THE UNITED NATIONS GENERAL ASSEMBLY WHICH CALLED FOR ALL THE PARTIES DIRECTLY CONCERNED TO ENTER INTO NEGOTIATIONS ON NEW ARRANGEMENTS DESIGNED TO REPLACE THE ARMISTICE AGREEMENT, REDUCE TENSIONS, AND ENSURE LASTING PEACE IN KOREA. BOTH THE U.S. AND REPUBLIC OF KOREA ARE PREPARED TO PARTICIPATE IN SUCH NEGOTIATIONS WITH OTHER PARTIES DIRECTLY CONCERNED.

5. CONCLUSION. THE KOREAN ARMISTICE AGREEMENT STIPULATES THAT IT WILL REMAIN IN EFFECT "UNTIL EXPRESSLY SUPERSEDED EITHER BY MUTUALLY ACCEPTABLE AMENDMENTS AND ADDITIONS OR BY PROVISIONS IN AN APPROPRIATE AGREEMENT FOR A PEACEFUL SETTLEMENT AT A POLITICAL LEVEL BETWEEN BOTH SIDES." THE ARMISTICE AGREEMENT IS NOT PERFECT, BUT IT REMAINS THE ONLY DOCUMENT AVAILABLE FOR THE PRESERVATION OF THE ARMISTICE. IF THE ARMISTICE IS TO BE PRESERVED, IT IS IMPERATIVE THAT THE MILITARY ARMISTICE COMMISSION, THE ONLY CHANNEL OF COMMUNICATIONS BETWEEN THE TWO SIDES, BE MAINTAINED. THIS IS EVEN MORE PRESSING AT PRESENT BECAUSE THE NORTH-SOUTH DIALOGUE HAS MADE VERY LITTLE PROGRESS IN THE PAST SEVERAL YEARS AND BECAUSE IN AUGUST 1976 THE NORTH KOREANS CUT OFF THE HOTLINE BETWEEN THE SOUTH AND NORTH WHICH WAS INSTALLED AFTER THE 4 JULY 1972 NORTH-SOUTH JOINT ANNOUNCEMENT. UNDER THE CURRENT CIRCUMSTANCES, THE UNITED NATIONS COMMAND MUST CONTINUE ITS MISSION OF MAINTAINING THE ARMISTICE IN KOREA UNTIL ALTERNATE OR MORE PERMANENT ARRANGEMENTS ARE CONCLUDED BY THE PARTIES DIRECTLY CONCERNED WITH KOREA.

7. ANNEX. MAJOR INCIDENTS DISCUSSED BY THE MILITARY ARMISTICE COMMISSION AND ITS SECRETARIES. DECEMBER 1976 TO DECEMBER 1977.  
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NORTH KOREAN INTRUDERS KILLING AND WOUNDING UNC SOLDIERS. ON 3 MAY 1977; TWO UNITED NATIONS COMMAND (UNC) SOLDIERS CHECKING A FENCE LOCATED ABOUT 800 METERS SOUTH OF THE DEMILITARIZED ZONE, IN THE VICINITY OF 38 DEGREES 16'30"N/127 DEGREES 09'10"E; IN THE CENTRAL SECTOR OF KOREA DISCOVERED A HOLE IN THE FENCE. AS THEY STARTED TO INVESTIGATE THE HOLE; NORTH KOREAN INTRUDERS NORTH OF THE FENCE SHOT AND KILLED ONE UNC SOLDIER AND WOUNDED ANOTHER. THE UNC CALLED THE 383RD MEETING OF THE MILITARY ARMISTICE COMMISSION, HELD ON 9 MAY 1977, AND CHARGED THE NORTH KOREANS WITH THIS UNPROVOKED ATTACK. THE UNC PRESENTED AT THIS MEETING EIGHT EXPENDED AK-4-CARTRIDGES AND ONE UNFIRED CARTRIDGE WHICH WERE RECOVERED IN THE AREA WHERE THE SHOTS CAME FROM. THE NORTH KOREANS RESPONDED BY SAYING THAT NONE OF THEIR "SOLDIERS" CROSSED THE DEMILITARIZED ZONE AND FIRED AT THE UNC PERSONNEL. THE UNC STRESSED THE SERIOUSNESS OF

THE KILLING AND TOLD THE NORTH KOREANS THAT AS LONG AS THEY CONTINUE TO PERPETUATE SUCH INCIDENTS, THEIR WORDS OF PEACEFUL INTENTIONS LACK CREDIBILITY.

NORTH KOREA SHOT DOWN AN UNARMED UNC HELICOPTER. ON 14 JULY 1977, AN UNARMED UNC HELICOPTER WITH FOUR CREWMEMBERS INADVERTENTLY FLEW OVER THE EAST COAST OF NORTH KOREA, DUE TO NAVIGATIONAL ERROR, AND WAS SHOT DOWN BY THE NORTH KOREAN ANTI-AIRCRAFT "ARTILLERY" FIRE. THE PILOT WAS KILLED WHEN HE WAS HIT BY THE NORTH KOREAN GROUND FIRE AND TWO CREWMEMBERS WERE ALSO KILLED WHEN THE HELICOPTER CRASHED. THE CO-PILOT WAS INJURED BUT SURVIVED. A FEW HOURS LATER; THE UNC CALLED FOR THE 385TH MEETING OF THE MILITARY ARMISTICE COMMISSION TO REQUEST THE RETURN OF THE CREW AND HELICOPTER. THE UNC SENIOR MEMBER THROUGH A MESSAGE INFORMED HIS COUNTER PART THAT THIS WAS AN UNINTENTIONAL INTRUSION, THE INCIDENT WAS REGRETTABLE, AND REQUESTED AN IMMEDIATE RETURN OF THE CREW AND HELICOPTER. THE NORTH KOREANS COUNTER PROPOSED THAT THE 385TH MEETING PROPOSED BY THE UNC BE POSTPONED UNTIL 16 JULY 1977 BECAUSE THE INCIDENT WAS STILL UNDER INVESTIGATION. AT THE 385TH MAC MEETING, HELD ON 16

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JULY 1977, THE UNC SENIOR MEMBER REFERRED TO HIS EARLIER MESSAGE CONCERNING THE "REGRETTABLE INCIDENT" AND STATED HE WAS PREPARED TO RECEIVE THE CREW AND HELICOPTER. THE NORTH KOREAN SENIOR MEMBER RESPONDED THAT THEY WERE READY TO DELIVER THE SURVIVOR AND THE BODIES OF CREWMEMBERS AFTER CONSIDERING THE UNC ADMISSION OF AN AIR INTRUSION INTO NORTH KOREA BY ITS MILITARY HELICOPTER AND EXPRESSION OF REGRET OVER THE INCIDENT. HE REQUESTED A RECEIPT BE PROVIDED FOR ACKNOWLEDGING THE RECEIPT OF THE CREW AND THE BODIES, AND SUGGESTED THAT THE MILITARY ARMISTICE COMMISSION SECRETARIES MEET FOLLOWING THE CONCLUSION OF THE COMMISSION MEETING TO TRANSFER THE CREWMEMBER AND THE BODIES. THE CREW AND THE BODIES WERE RETURNED IN THE EVENING OF THAT DAY. THE UNC SENIOR MEMBER MADE THE FOLLOWING REMARKS IN HIS PRESS INTERVIEW FOLLOWING THE RELEASE OF THE CREW; "WE WELCOME THE PROMPT NORTH KOREAN RESPONSE TO OUR REQUEST FOR THE RETURN OF THE CREW OF OUR HELICOPTER WHICH UNINTENTIONALLY ENTERED NORTH KOREAN TERRITORY, BUT WE DEPLORE THE LOSS OF LIFE AND THE USE OF FORCE AGAINST AN UNARMED AND INADVERTENT INTRUSION. HOWEVER, IT IS ENCOURAGING THAT THE MATTER WAS HANDLED BY BOTH SIDES IN A MANNER CONSISTENT WITH THE ARMISTICE AGREEMENT." THE RAPID SETTLEMENT OF THIS INCIDENT THROUGH THE MILITARY ARMISTICE COMMISSION MACHINERY CLEARLY DEMONSTRATED AGAIN THAT THE ARMISTICE MECHANISM IS ESSENTIAL IN ORDER TO PROVIDE A MEDIUM FOR COMMUNICATION AND DIALOGUE TO PREVENT A SERIOUS INCIDENT FROM ESCALATING INTO A CONFRONTATION.

NORTH KOREAN ABDUCTION OF UNC PERSONNEL IN DMZ. EVIDENCE AVAILABLE TO THE UNITED NATIONS COMMAND INDICATES THAT TWO UNC PERSONNEL, ONE OFFICER AND ONE ENLISTED MAN, MAY HAVE BEEN ABDUCTED ON 20 OCTOBER 1977 BY THE NORTH KOREANS FROM THE UNC PORTION OF THE DEMILITARIZED ZONE IN THE VICINITY OF 38 DEGREES 17'00"N/127 DEGREES 10'05"E, IN THE CENTRAL SECTOR OF KOREA. THE UNC CALLED THE 449TH

MEETING OF THE MILITARY ARMISTICE COMMISSION SECRETARIES, HELD ON  
2 OCTOBER 1977, AND REQUESTED THE RETURN OF THESE UNC PERSONNEL.  
THE UNC SECRETARY STATED HE HAD BEEN DIRECTED BY HIS SENIOR  
MILITARY ARMISTICE COMMISSION MEMBER TO WORK OUT THE DETAILS OF  
THEIR RETURN. THE UNC PROPOSED THAT THE NORTH KOREANS BRING THEM  
O A JOINT OBSERVER TEAM MEETING IN THE MIDDLE OF THE "BFIDGE OF  
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NO RETURN" LOCATED ASTRIDE THE MILITARY DEMARCATION LINE IN THE  
JOINT SECURITY AREA AT 1100 HOURS, 27 OCTOBER 1977, WHERE THESE  
INDIVIDUALS COULD MAKE THEIR REAL DESIRES KNOWN BY WALKING TO  
EITHER SIDE. THE NORTH KOREANS RESPONDED THAT THE MEN WERE "DEFEC-  
TORS" AND THE ISSUE OF DEFECTION WAS NOT GERMANE TO THE MISSION OF  
THE MILITARY ARMISTICE COMMISSION. THE UNC REMARKED THAT ABDUCTION  
WAS A PROPER TOPIC FOR DISCUSSION BEFORE THE COMMISSION AND REQUEST-  
ED THAT THE NORTH KOREANS BRING THEM TO A MEETING OF THE SECRETARIES  
THE NEXT DAY WHERE THEY COULD FREELY WALK TO EITHER SIDE. THE NORTH  
KOREANS, HOWEVER, REJECTED BOTH PROPOSALS SUBMITTED BY THE UNC.  
THE UNC POINTED OUT THAT THE NORTH KOREAN REJECTION OF THE TWO PRO-  
POSALS TO GIVE MEN FREE CHOICE INDICATED THE NORTH KOREAN CLAIM  
OF DEFECTION WAS FABRICATED.  
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3. THE U.S. AMBASSADOR HAS SEEN AND CONCURS WITH REEPORT. UNQUOTE  
VANCE

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**Automatic Decaptioning:** X  
**Capture Date:** 22-Sep-1999 12:00:00 am  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** RESOLUTIONS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Sent Date:** 23-Dec-1977 12:00:00 am  
**Decaption Date:** 01-Jan-1960 12:00:00 am  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 22 May 2009  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1977STATE306026  
**Document Source:** ADS  
**Document Unique ID:** 00  
**Drafter:**  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** n/a  
**Expiration:**  
**Film Number:** D770479-0681  
**Format:** TEL  
**From:** STATE  
**Handling Restrictions:** n/a  
**Image Path:**  
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**Legacy Key:** link1977/newtext/t197712111/baaaeutq.tel  
**Line Count:** 301  
**Litigation Code IDs:**  
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**Litigation History:**  
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**Message ID:** 93f65dfc-c188-dd11-92da-001cc4696bcc  
**Office:** ORIGIN IO  
**Original Classification:** LIMITED OFFICIAL USE  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 6  
**Previous Channel Indicators:**  
**Previous Classification:** LIMITED OFFICIAL USE  
**Previous Handling Restrictions:** n/a  
**Reference:** n/a  
**Retention:** 0  
**Review Action:** RELEASED, APPROVED  
**Review Content Flags:**  
**Review Date:** 01-Mar-2005 12:00:00 am  
**Review Event:**  
**Review Exemptions:** n/a  
**Review Media Identifier:**  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**SAS ID:** 119846  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** ; UN COMMAND REPORT TO UNITED NATIONS SECURITY COUNCIL. A. UNITED NATIONS SECURITY COUNCIL RESOLUTION, 7 JULY 1950, (S/1588) WHICH ESTABLISHED UNIFI ED COMMAND.  
**TAGS:** PORG, UN  
**To:** USUN N Y  
**Type:** TE  
**vdkgvkey:** odbc://SAS/SAS.dbo.SAS\_Docs/93f65dfc-c188-dd11-92da-001cc4696bcc  
**Review Markings:**  
Margaret P. Grafeld  
Declassified/Released  
US Department of State  
EO Systematic Review  
22 May 2009  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009